

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

NO. 5:11-CR-42-1 (2)  
NO. 5:11-CR-42-2 (2)

UNITED STATES OF AMERICA,

v.

JOSE MANUEL HERNANDEZ-ITURRALDE  
a/k/a "Manuel Hernandez"  
LAZARO FERNANDO SANCHEZ-MARTINEZ  
a/k/a "Lazaro Sanchez"  
a/k/a "L.A."  
a/k/a "Mexico"

INDICTMENT

The Grand Jury charges that:

COUNT ONE

From a date unknown to the Grand Jury, but no later than in or about April 2006, and continuing up to and including in or about June 2010, in the Eastern District of North Carolina, JOSE MANUEL HERNANDEZ-ITURRALDE, also known as "Manuel Hernandez" and LAZARO FERNANDO SANCHEZ-MARTINEZ, also known as "Lazaro Sanchez", "L.A." and "Mexico", defendants herein, did knowingly and intentionally combine, conspire, confederate and agree with each others known and unknown to the Grand Jury, to commit the following offense against the United States in violation of Title 21, United States Code, Section 841(a)(1): to knowingly and intentionally distribute and possess with the intent to distribute five (5) kilograms or more of cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 846.

COUNT TWO

On or about July 5, 2010, in the Eastern District of North Carolina, JOSE MANUEL HERNANDEZ-ITURRALDE, also known as "Manuel Hernandez", defendant herein, an alien, was found in the United States after having eluded examination and inspection by immigration officers, in violation of Title 8, United States Code, Section 1325(a).

COUNT THREE

On or about March 15, 2010, in the Eastern District of North Carolina, LAZARO FERNANDO SANCHEZ-MARTINEZ, also known as "Lazaro Sanchez", "L.A." and "Mexico", defendant herein, an alien, did elude examination and inspection by immigration officers, in violation of Title 8, United States Code, Section 1325(a).

ALLEGATIONS OF PRIOR CONVICTIONS

For purposes of Title 21, United States Code, Sections 841(b) and 851, LAZARO FERNANDO SANCHEZ-MARTINEZ, committed the violations alleged in Count One of the Indictment after at least one prior conviction for a felony drug offense, as defined in Title 21, United States Code, Section 802(44), had become final.

### FORFEITURE NOTICE

The defendants are given notice of the provisions of Title 21, United States Code, Section 853, that all of the defendants' interest in all property specified herein is subject to forfeiture.

As a result of the foregoing offenses of the Indictment, the defendant shall forfeit to the United States any and all property constituting, or derived from, any proceeds the said defendants obtained directly or indirectly as a result of the said offenses, and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the offenses alleged in the Indictment, and any property, real or personal, involved in such offenses, and any property traceable to such property.

If any of the above-described forfeitable property, as a result of any act or omission of the defendant,

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other

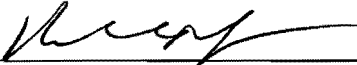
property of said defendant up to the value of the above forfeitable property.

A TRUE BILL

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FOREMAN

2/15/11  
DATE

GEORGE E.B. HOLDING  
United States Attorney

BY:   
RUDY E. RENFER  
Assistant United States Attorney